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PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICANTS: GASCO ET AL. - 1 PCT

SERIAL NO.: 10/533,512

EXAMINER: HUANG, GIGI GEORGINA

FILED: MAY 2, 2005

GROUP: 1612

TITLE: PHARMACEUTICAL COMPOSITIONS SUITABLE FOR THE
TREATMENT OF OPHTHALMIC DISEASES

RESPONSE TO RESTRICTION REQUIREMENT

MAIL STOP: AMENDMENT

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

In response to the Office Action dated April 29, 2008,

Applicants respectfully respond as follows:

An Election of Inventions and of Species begin on page 2 of
this paper.

Remarks/Arguments begin on page 4 of this paper.

ELECTION OF INVENTION:

The Patent Examiner has required the election of one of the following two inventions for further prosecution:

Group I: Claims 2-4 and 7-13, drawn to a method for the treatment of ophthalmic diseases comprising the intravenous or topical ocular administration comprising solid lipidic nanoparticles containing a pharmacologically active substance; or

Group II: Claims 14-21, drawn to composition consisting essentially of an isotonic aqueous dispersion of solid lipid nanoparticles (SLNs) having a mean diameter comprised between 50 and 400 nm and polydispersion comprised between 50 and 400 nm and polydispersion comprised between 0.06 and 0.30 with a pharmacologically active substance incorporated within said SLNs.

ELECTION:

Applicants respectfully elect, with traverse, Group I,

claims 2-4 and 7-13, drawn to a method for the treatment of ophthalmic diseases, for further prosecution.

ELECTION OF SPECIES:

The Patent Examiner has also required the election of one of the following species for further prosecution:

Active substances comprising: amphotericin, miconazole, ganciclovir, saquinavir, acyclovir, famciclovir, vidarabine, idoxuridine, beta-interferon, paclitaxel, methotrexate, doxorubicin, angiopoietin I, diclophenac, indomethacin, ketorolac, piroxicam, flurbiprofen, dexamethasone, triamcinolone, hydrocortisone, fluorometholone, rimexolone, timolol, betaxolol and acetazolamide.

Applicants respectfully elect, with traverse, hydrocortisone, with claims 2-4 and 7-13 readable thereon, with claim 11 being generic. A copy from the Merck Index for hydrocortisone is enclosed setting forth the compound name (drug name and chemical name) with the chemical structure.